

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:20-cv-180-MOC

JASON NEAL CHURCH, )  
                          )  
Plaintiff,             )  
                          )  
v.                      )  
                          )  
KILOLO KIJAKAZI,      )  
Acting Commissioner of Social Security,    )  
                          )  
Defendant.             )

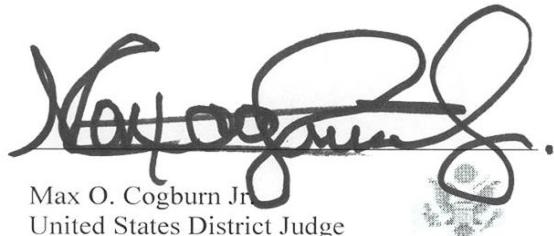
**ORDER**

**THIS MATTER** is before the Court on Plaintiff's Motion for Attorney Fees. (Doc. No. 18). Defendant has consented to the motion. The motion is **GRANTED**. The parties have agreed that the Commissioner of Social Security should pay the sum of \$3,325.00, in full and final settlement of all claims arising under the Equal Access to Justice Act ("EAJA"). See 28 U.S.C. § 2412(d).

Pursuant to the United States Supreme Court's ruling in *Astrue v Ratliff*, 130 S. Ct. 2521 (2010), these EAJA fees are payable to Plaintiff as the prevailing party and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the federal government. If, after entry of the Consent Order, the Commissioner determines that Plaintiff owes no debt to the government that would subject this award of attorney fees to offset, the Commissioner may honor Plaintiff's signed assignment of EAJA fees providing for payment of the subject fees to Plaintiff's Counsel, rather than to Plaintiff. If such a debt is present, then any remaining fee after offset will be payable to Plaintiff and delivered to Plaintiff's Counsel.

It is therefore **ORDERED** that, pursuant to the above, the Commissioner pay the sum of \$3,325.00 in full satisfaction of all claims arising under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sums this case is dismissed with prejudice.

Signed: December 7, 2021

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", is written over a horizontal line. To the right of the signature is a small, dark, circular or oval-shaped stamp or seal.

Max O. Cogburn Jr.  
United States District Judge